UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,933	08/04/2003	Michael A. Bass	16223-00037	4951

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EXAMINER
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ART UNIT	PAPER NUMBER
2179	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/633,933	BASS ET AL.
	Examiner	Art Unit	
	Shashi K. Becker	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _09 April 2010_.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1,3-19 and 21-34_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1,3-19 and 21-34_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _7/27/09_.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the

fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection.

Since this application is eligible for continued examination under 37 CFR 1.114,

and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the

previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 4/9/10 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

This application currently names joint inventors. In considering

patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that

the subject matter of the various claims was commonly owned at the time any

inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor

and invention dates of each claim that was not commonly owned at the time a

later invention was made in order for the examiner to consider the applicability of

35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35

U.S.C. 103(a).

1.   **Claims 1, 16, 19, 21- 23, 26, 28, 29, and 32 are rejected under 35**

U.S.C. 103(a) as being unpatentable over Cimino et al (hereinafter Cimino)

US Patent 5127532 in view of Teratani et al (hereinafter Teratani) US Patent

5517299.

*   **In regards to claims 1 and 19**, Cimino teaches an interactive object

identification system comprising; interactive user interface means a first object

into at least one input field of a plurality of input fields (column 2 lines 43-61,

wherein when the user manually inputs the physical key wherein the profile of the

key is the specified variable and the first object is the key, wherein the input field

is the key profile information input into the database memory which then

searches through a plurality of input fields of information to match the key blank),

wherein at least one of said plurality of input fields in the interactive user interface

means includes at least one specified variable (column 2 lines 43-61, wherein the

lensing system illuminates the front of the key to form a cross-sectional image for

the video system to convert to a digital image as the cross-sectional image taken

is the manual input of the first object), said specified variable being known or

physically observed based upon a visual inspection of the object (column 2 lines

43-61, wherein the lensing system illuminates the front of the key to form a cross-

sectional image for the video system to convert to a digital image) by a user of

the system (column 1 lines 22-33); database means for <u>matching</u> a master object

through comparison of known values in response to the specified variable (column 1 lines 22-33 and column 2 lines 43-61). Cimino further teaches a display rack for holding a physical set of master objects and an indicator for distinguishing the identified master object from the physical set of master objects (column 5 lines 36-43). However, Cimino does not specifically teach for manually typing at least one specified variable that is an intended use of a first object, and a specified variable manually typed into the interactive user interface means.

Teratani teaches an apparatus and method for examining key plates. Teratani further teaches teach for manually typing at least one specified variable that is an intended use of a first object, and a specified variable manually typed into the interactive user interface means (column 8 lines 1-15).It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Cimino to include the teachings of Titus in order to manually input a variable of the object into the interactive user interface means. One would have been motivated to make such a combination in order to retrieve form information relating to key dimensions (column 8 lines 1-15).

·   **In regards to claims 16 and 26**, Cimino teaches the limitations above (see claims 1 and 19). Cimino further teaches further comprising verification means for confirming that the identified master object physically provided to the user matches the information about the identified master object presented to the user (column 1 lines 22-33).

In regards to claim 21, Cimino teaches the limitations above (see claims 1 and 19). Cimino further suggests wherein said indicator comprises a series of lights wherein a single light indicative of the identified master object is selectively illuminated (column 5 lines 36-43).

· **In regards to claim 22**, Cimino teaches the limitations above (see claims 1 and 19). Cimino further suggests wherein the indicator further comprises: (i) at least one shift register operatively associated with the series of lights and (ii) means for selectively adjusting the output signal to be compatible with the shift register (column 5 liens 36-43).

· **In regards to claims 23 and 29**, Cimino teaches the limitations above (see claims 1 and 19). Cimino further teaches wherein the identified master object comprises a key blank (column 2 lines 22-33).

· **In regards to claim 28**, Cimino teaches the limitations above (see claims 1 and 19). Cimino further teaches further comprising key replication means for creating a duplicate copy of the first object (column 1 lines 22-33).

· **In regards to claim 32**, Cimino teaches the limitations above (see claims 1 and 19). Cimino further teaches wherein the computer is selected from the group consisting of: a personal computer, a personal digital assistant, a hand-held computing device and a miniaturized, embedded computer having an integrated and abbreviated alphanumeric display (column 2 lines 43-61).

2.   **Claims 3, 4, 14, 17, 25, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cimino et al (hereinafter Cimino) US Patent 5127532 in view of Teratani et al (hereinafter Teratani) US Patent 5517299, in further view of Titus et al (hereinafter Titus) US Patent 6406227.**

*   **In regards to claims 3 and 14**, Cimino and Teratani teach the limitations above (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach tracking means for recording and monitoring variables related to utilization of the system.

Titus teaches a key measurement apparatus and method. Titus further teaches tracking means for recording and monitoring variables related to utilization of the system (column 13 lines 46-55).It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Cimino and Teratani to include the teachings of Titus in order to record and monitor variables of the system. One would have been motivated to make such a combination in order to keep an inventory of each key profile and the machine's maintenance status log (column 13 lines 46-55).

*   **In regards to claim 4**, Cimino and Teratani teach the limitations above (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach wherein the variables recorded and monitored by the tracking include information related to inventory levels for at least one item selected from the group consisting of: the identified master object and at least a portion of the set of other objects.

Titus teaches a key measurement apparatus and method. Titus further teaches wherein the variables recorded and monitored by the tracking include information related to inventory levels for at least one item selected from the group consisting of: the identified master object and at least a portion of the set of other objects (column 13 lines 46-55).It would have been obvious for the reasons stated above (see claims 3 and 14).

*   **In regards to claims 17 and 27**, Cimino and Teratani teach the limitations above (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach wherein the verification means includes at least one item selected from the group consisting of: a machine vision system and a radio frequency identification system.

Titus teaches a key measurement apparatus and method. Titus further teaches wherein the verification means includes at least one item selected from the group consisting of: a machine vision system and a radio frequency identification system (column 18 lines 45-57).It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Cimino and Teratani to include the teachings of Titus in order to verify the identified master object. One would have been motivated to make such a combination in order to verify different key profiles and inventory them for the user's reference (column 18 lines 45-57).

·   **In regards to claim 25**, Cimino and Teratani teach the limitations above (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani

do not specifically teach further comprising a means for tracking inventory levels

of the set of possible key blanks, said means for tracking operatively associated

with the computer.

Titus teaches a key measurement apparatus and method. Titus further teaches

further comprising a means for tracking inventory levels of the set of possible key

blanks, said means for tracking operatively associated with the computer.

(column 18 lines 45-57).It would have been obvious to one of ordinary skill in the

art at the time of the invention to modify the method and apparatus of Cimino and

Teratani to include the teachings of Titus in order track key profiles. One would

have been motivated to make such a combination in order to verify different key

profiles and inventory them for the user's reference (column 18 lines 45-57).

3.   **Claims 5, 6, 13, 18, 30, 31, 33, and 34 are rejected under 35 U.S.C.**
103(a) as being unpatentable over Cimino, and Teratani in further view of
Palaniappan US Patent 6711557.

•   In regards to claim 5, Cimino and Teratani teach the above

limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino

and Teratani do not specifically teach further comprising means for selectively

updating elements of the system utilizing a computerized network.

Palaniappan teaches client-based background update monitoring. Palaniappan

further teaches selectively updating elements of the system utilizing a

computerized network (column 3 line 52-column 4 line 25). It would have been

obvious to one of ordinary skill in the art at the time of the invention to modify the

method and apparatus of Cimino and Teratani to include the teachings of

Palaniappan in order update elements over a computer network. One would have

been motivated to make such a combination in order update elements of the

system a computer network by the product itself notifying the user (column 1

lines 55-65).

- **In regards to claim 6,** Cimino and Teratani teach the above

limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino

and Teratani do not specifically teach further comprising a plurality of user

interface means connected to the database means via a computerized network.

Palaniappan teaches client-based background update monitoring Palaniappan

further teaches further comprising a plurality of user interface means connected

to the database means via a computerized network (column 3 line 52-column 4

line 25). It would have been obvious for the reasons stated above (see claim 5).

- **In regards to claim 13,** Cimino and Teratani teach the above

limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). Cimino further

teaches wherein the identified master object comprises a key blank (column 2

lines 22-33).

- **In regards to claims 18 and 30,** Cimino and Teratani teach the

above limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However

Cimino and Teratani do not specifically teach further comprising user help means

for providing the user with assistance in operating the system.

Palaniappan teaches client-based background update monitoring. Palaniappan

further teaches further comprising user help means for providing the user with

assistance in operating the system (column 3 lines 13-42). It would have been

obvious for one of ordinary skill in the art at the time of the invention to modify the

teachings of Cimino and Teratani to include the teachings of Palaniappan in

order to provide assistance to the user with the operating system. One would

have been motivated to make this combination in order to provide help to the

user in learning the system.

- **In regards to claim 31**, Cimino and Teratani teach the above

limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino

and Teratani do not specifically teach further comprising a means for recording

and selectively retrieving a historical log of information about the user or the

operation of the system, said means for recording and selectively retrieving a

historical log operatively associated with the computer.

Palaniappan teaches client-based background update monitoring. Palaniappan

further teaches further comprising a means for recording and selectively

retrieving a historical log of information about the user or the operation of the

system, said means for recording and selectively retrieving a historical log

operatively associated with the computer (column 5 lines 8-15). It would have

been obvious for one of ordinary skill in the art at the time of the invention to

modify the teachings of Cimino and Teratani to include the teachings of

Palaniappan in order to historically log information about the operation of the

system. One would have been motivated to make this combination in order to

keep track of what applications are participating in the automatic updating

scheme (column 5 lines 8-15).

- **In regards to claim 33**, Cimino and Teratani teach the above limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach wherein the system operates over a computerized network.

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches wherein the system operates over a computerized network (column 3 line 52-column 4 line 25). It would have been obvious for the reasons stated above (see claim 5).

- **In regards to claim 34** Cimino and Teratani teach the above limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach wherein the database is selectively updated via the computerized network and wherein the computerized network is selected from the group consisting of: a local area network, a wide area network and the internet.

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches wherein the database is selectively updated via the computerized network and wherein the computerized network is selected from the group consisting of: a local area network, a wide area network and the internet (column

3 line 52-columns 4 line 25). It would have been obvious for the reasons stated above (see claim 5).

4.   **Claims 7-12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cimino, Teratani and Titus, in further view of Palaniappan US Patent 6711557.**

- In regards to claim 7, Cimino, Teratani and Titus teach the above limitations (see claims 3, 4, 14, 17, 25, and 27). However Cimino, Teratani and Titus do not specifically teach further comprising means for selectively updating elements of the system utilizing a computerized network.

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches selectively updating elements of the system utilizing a computerized network (column 3 line 52-column 4 line 25). It would have been obvious for the reason stated above (see claim 5).

- In regards to claim 8, Cimino, Teratani and Titus teach the above limitations (see claims 3, 4, 14, 17, 25, and 27). However Cimino, Teratani and Titus do not specifically teach further comprising a plurality of user interface means connected to the database means via a computerized network.

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches further comprising a plurality of user interface means connected to the database means via a computerized network (column 3 line 52-column 4 line 25). It would have been obvious for the reasons stated above (see claim 5).

- In regards to claims 9 and 15, Cimino, Teratani and Titus teach the above limitations (see claims 3, 4, 14, 17, 25, and 27). However Cimino, Teratani and Titus do not specifically teach wherein the tracking means transmits the variables related to utilization of the system over a computerized network.

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches wherein the tracking means transmits the variables related to utilization of the system over a computerized network (column 3 line 52-column 4 line 25). It would have been obvious for the reasons stated above (see claim 5).

- In regards to claim 10, Cimino, Teratani and Titus teach the above limitations (see claims 3, 4, 14, 17, 25, and 27). However Cimino, Teratani and Titus do not specifically teach further comprising user help means for providing the user with assistance in operating the system.

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches further comprising user help means for providing the user with assistance in operating the system (column 3 lines 13-42). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify the teachings of Cimino, Teratani and Titus to include the teachings of Palaniappan in order to provide assistance to the user with the operating system. One would have been motivated to make this combination in order to provide help to the user in learning the system.

- In regards to claim 11, Cimino, Teratani and Titus teach the above

limitations (see claims 3, 4, 14, 17, 25, and 27). Cimino further teaches further

comprising verification means for confirming that the identified master object

physically provided to the user matches the information about the identified

master object presented to the user (column 1 lines 22-33).

- In regards to claim 12, Cimino, Teratani and Titus teach the above

limitations (see claims 3, 4, 14, 17, 25, and 27). Cimino further teaches wherein

the identified master object comprises a key blank (column 2 lines 22-33).

5.   **Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable
over Cimino and Teratani in view of Almblad et al (hereinafter Almblad), US
Patent 60605911.**

Cimino and Teratani teach the above limitations (see claims 1, 16, 19, 21- 23, 26,

28, 29, and 32). However Cimino and Teratani do not specifically teach further

comprising an automated means for restocking at least selected portions of the

set of possible key blanks, said automated means for restocking operatively

associated with the computer.

Almblad teaches a method and apparatus for automatically making keys.

Almblad further teaches an automated means for restocking at least selected

portions of the set of possible key blanks, said automated means for restocking

operatively associated with the computer (column 31 lines 54-65). It would have

been obvious to one of ordinary skill in the art at the time of the invention to

modify the method and apparatus of Cimino and Teratani to include automatic restocking of key blanks in order to make a more efficient machine. One would have been motivated to make such a combination in order to create a human interaction free machine and make the process more effective.

Response to Arguments

Applicant's arguments with respect to claims 1, 3-19, and 21-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shashi K. Becker whose telephone number is 571-272-8919. The examiner can normally be reached on Mon-Fri 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

/SARA ENGLAND/
Primary Examiner, Art Unit 2179

/Shashi K Becker/
Examiner, Art Unit 2179